IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.9334 OF 2004

Dr Hindurao N. Pawar ... Petitioner

v/s

Sou Ambubai C. Kutnashalli and others ... Respondents

Mr Anilkumar Patil for Petitioner.

Mr Limaye i/b Mr A.A. Garge for Respondent Nos.1 and 2.

CORAM : D.K. DESHMUKH J.

DATE : 20TH JULY 2005.

P.C. :-

1. As per the consent terms, the question whether the plot was divisible or not was to be decided by the Co-operative Society. An appointment of Commissioner for that purpose is not provided by the consent terms and therefore, the Executing Court has rightly rejected the application. I do not see any substance in the petition. Petition is rejected.

. Parties to act on the copy of this order duly authenticated by the Sheristedar / Personal Secretary of this Court as true copy.

. Certified copy expedited.